

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Atty. Docket

HENDRIK J. BERGVELD

ET AL.

PHN 16-698A

Serial No.

Filed: Concurrently

Title: A COMMUNICATION SYSTEM, DEVICE AND METHOD

Commissioner of Patents and Trademarks  
Washington, D.C. 20231

PRELIMINARY AMENDMENT

Sir:

Prior to calculation of the filing fee and examination, please  
amend the above-identified application as follows:

In the Claims

Please cancel claims 1-11 without prejudice, and add claims  
12-23 as follows:

- 1       --12.(New) A communication system comprising:
- 2       a base station; and
- 3       a communication device for communicating with said base
- 4       station; said communication device including an amplifier which
- 5       outputs a signal having a frequency value; wherein a power of said
- 6       communication device is varied in dependence of said frequency
- 7       value.

1           13.(New) The communication system of claim 12, wherein said  
2 communication device include a memory which stores data for  
3 controlling said power.

1           14.(New) The communication system of claim 12, further  
2 comprising a comparator for comparing a level of said signal with a  
3 desired signal level.

1           15.(New) The communication system of claim 14, wherein said  
2 desired signal level is provided by said base station.

1           16.(New) A communication device comprising an amplifier which  
2 outputs a signal having a frequency value; wherein a power of said  
3 communication device is varied in dependence of said frequency  
4 value.

1           17.(New) The communication device of claim 16, further  
2 comprising a memory which stores data for controlling said power.

1           18.(New) The communication device of claim 16, further  
2 comprising a comparator for comparing a level of said signal with a  
3 desired signal level.

1 19.(New) The communication device of claim 18, wherein said  
2 desired signal level is provided by a communication apparatus that  
3 communicates with said communication device.

1 20.(New) A method for controlling a power of a communication  
2 device comprising:  
3 amplifying a signal having a frequency value; and  
4 varying said power in dependence of said frequency.

1 21.(New) The method of claim 20, further comprising storing  
2 data for controlling said power in a memory.

1 22.(New) The method of claim 20, further comprising comparing  
2 a level of said signal with a desired signal level.

1 23.(New) The method of claim 22, further comprising providing  
2 said desired signal level by a communication apparatus that  
3 communicates with said communication device.--

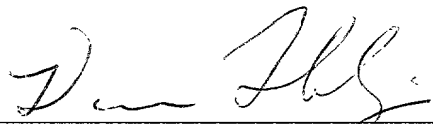
#### Remarks

This continuation is being filed under 37 CFR §1.53(b) in order to present claims commensurate with the invention as disclosed in the specification, where the parent application, U.S. serial no.

09/397,741 has been allowed. Claims 12-23 include the patentable features allowed in the parent application, and should therefore be allowable.

Early consideration and action on the merits are solicited.

Respectfully submitted,

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FILED